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3
4 BILL NO. Z-73-06-12

5 ZONING MAP ORDINANCE NO. Z-⁰Withdrawn

6 AN ORDINANCE amending the City of Fort
7 Wayne Zoning Map No. CC13, DD13.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is
11 hereby designated a M1 district under the terms of Chapter 36,
12 Municipal Code of the City of Fort Wayne, Indiana, 1946, as
13 amended by General Ordinance No. 2836 and amendments thereof,
14 and the symbols of the City of Fort Wayne Zoning Map No. CC13,
15 DD13, referred to therein, established by Section 9, Article III
16 of said Chapter as amended, are hereby changed accordingly,
17 to-wit:

18 The West 1/2 Southwest 1/4 Northwest 1/4
19 except West 60 feet in Section 27, Township
20 31 North, Range 12 East, containing 18 acres,
more or less. This real estate is outlined
in red in Exhibit "A" attached hereto.

21 SECTION 2. This Ordinance shall be in full force and
22 effect from and after its passage and approval by the Mayor and
23 legal publication thereof.

24
25 
26 Councilman

27
28
29
30
31 APPROVED AS TO FORM
32 AND LEGALITY.

33 
34 CITY ATTORNEY
35

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 6-12-73

Charles W. Steatman
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	_____	_____	_____	_____
HINGA	_____	_____	_____	_____
KRAUS	_____	_____	_____	_____
MOSES	_____	_____	_____	_____
NUCKOLS	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	_____
SCHMIDT, V.	_____	_____	_____	_____
STIER	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____

DATE: _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197_____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 12, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-06-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1973; and,

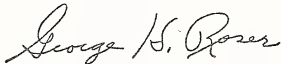
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1974.

Certified and signed this
27th day of March, 1974.



George H. Roser
Secretary

Bill No. Z-73-06-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. CC13, DD13

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance withdrawn PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols

Vivian G. Schmidt

William T. Hinga

Paul M. Burns

CONCURRED IN
DATE 4-9-74 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

No 205

GENERAL FUND

FT. WAYNE, IND., 5/22 1973RECEIVED FROM Wolohan Lumber Co. \$ 50.00THE SUM OF Fifty and 00/100 ¹⁰⁰ DOLLARSON ACCOUNT OF West 1/2 SW 1/4 NW 1/4 of Section 27,
Township 31 North, Range 12 EastBart Steele

AUTHORIZED SIGNATURE



PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE

Date Filed _____

CITY OF FORT WAYNE, INDIANA

Intended Use _____

I/~~WE~~ VIVIAN H. FLEMING

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-A District to a/an M-1 District the property described as follows:

The West 1/2 Southwest 1/4 Northwest 1/4

except West 60 feet in Section 27, Township 31

North, Range 12 East, containing 18 acres, more or

less. This real estate is outlined in red in Exhibit "A"

attached hereto.

(Legal Description)

(General Description for Planning Staff Use Only)

I/~~WE~~ the undersigned, certify that I am/~~WE ARE~~ the owner (~~80~~) of fifty-one percentum (51%) or more of the property described in this petition.

Vivian H. Fleming

1313 Merchants Bank Building

Indianapolis, Indiana 46204

(Name)

(Address)

Vivian H. Fleming
(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

X William P. Fagan
(Name)

425 Lincoln Bank Tower
(Address)

742-8341
(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

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North, Range 12 East, containing 18 acres, more or

less. This real estate is outlined in red in Exhibit "A"

attached hereto.

*Not present on
petition at time of submittal R.H.S.*

(Legal Description)

(General Description for Planning Staff Use Only)

I/~~WE~~ the undersigned, certify that I am/~~WE ARE~~ the owner/~~ARE~~ of fifty-one percentum (51%) or more of the property described in this petition.

Vivian H. Fleming

1313 Merchants Bank Building

Indianapolis, Indiana 46204

(Name)

(Address)

(Signature)

Vivian H. Fleming

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LAW OFFICES
LIVINGSTON, DILDINE, HAYNIE & YODER
LINCOLN TOWER
FORT WAYNE, INDIANA 46802

WARD E. DILDINE (1970)
GILMORE S. HAYNIE (1969)

VON E. LIVINGSTON
THOMAS W. YODER
WILLIAM P. FAGAN
MILFORD M. MILLER
NORMAN E. BAKER
CHARLES R. COGDILL
PHILIP L. CARSON
LAWRENCE A. LEVY
EDWARD L. MURPHY, JR.
C. ERIK CHICKEDANTZ
GILMORE S. HAYNIE, JR.
STEPHEN J. HARMS

March 22, 1974

AREA CODE 219
TELEPHONE
742-8341

Fort Wayne City Planning
Commission
City-County Building
Room 800
One Main Street
Fort Wayne, Indiana 46802

Attention: Gary F. Baeten
Administrative Assistant

Re: Bill No. Z-73-06-12



Dear Mr. Baeten:

As attorney for the petitioner in that certain petition filed May 22, 1973, by Vivian H. Fleming to amend the Zoning Map of Fort Wayne, Indiana, reflected in Bill No. Z-73-06-12, I hereby request that said petition and bill be withdrawn from any further consideration by either the City Plan Commission or the Common Council.

Very truly yours,

LIVINGSTON, DILDINE, HAYNIE & YODER

By


William P. Fagan

WPF:ml

Admn. Appr. ✓

Number assigned by Dave Keller's office # 3154

DIGEST SHEET

3-73-06-12
Regulations

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment Ordinance

Petition initiated by property owners to rezone property located as follows:

A parcel of ground containing 18 acres, more or less, located on the north side

of Goshen Road, extending ~~westward~~ northward along the New York Central Railroad

From an "RA" to "ML" zoning

EFFECT OF PASSAGE Rezoning of a residential zone to light industrial

EFFECT OF NON-PASSAGE Property would remain residentially zoned

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) REG - city